



PATENT APPLICATION
Docket No: 10209.353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
Morinda, Inc.)
)
Serial No.: 09/997,588)
)
Filed: November 29, 2001)
)
For: REDUCING CELLULAR DAMAGE IN THE HUMAN)
BODY)
Examiner: Patricia A. Patten)

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is enclosed.

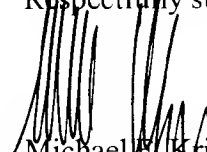
In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98(a)(3)

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Dated this 23 day of September, 2002.

Respectfully submitted,


Michael F. Krieger
Attorney for Applicant
Registration No. 35,232

KIRTON & McCONKIE
1800 Eagle Gate Tower
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Salt Lake City, Utah 84111
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PATENT APPLICATION
Docket No: 10209.353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Morinda, Inc.

Serial No.: 09/997,588

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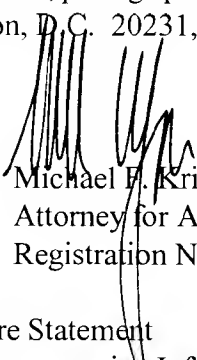
For: REDUCING CELLULAR DAMAGE IN THE HUMAN
BODY

Examiner: Patricia A. Patten

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CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence and the documents listed below are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 23, 2002.


Michael F. Krieger
Attorney for Applicant
Registration No. 35,232

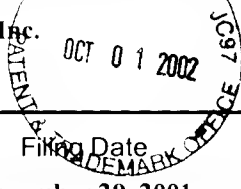
Transmitted: Transmittal of Information Disclosure Statement
Statement Under 37 CFR 1.97(c) Accompanying Information Disclosure Statement
Information Disclosure Statement
Form PTO-1449 Listing of All References
Legible Copies of All Listed References
Postcard

MFK/CLJ:lah
644131.1

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
10209.353

In Re Application Of: **Morinda, Inc.**



Serial No.
09/997,588

Filing Date
November 29, 2001

Examiner
Patricia A. Patten

Group Art Unit
1651

Title:

REDUCING CELLULAR DAMAGE IN THE HUMAN BODY

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **500843** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
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Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____
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Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on **Sept. 23, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Michael F. Krieger

Typed or Printed Name of Person Mailing Correspondence

Dated: **Sept. 23, 2002**

Signature
Michael F. Krieger
Attorney for Applicant
Attorney Registration No. 35,232
KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814

CC:

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

Docket No.
10209.353

In Re Application Of: Morinda, Inc.

Serial No.
09/997,588

Filing Date
November 29, 2001

Examiner
Patricia A. Patten

Group Art Unit
1651

Invention:

REDUCING CELLULAR DAMAGE IN THE HUMAN BODY

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This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

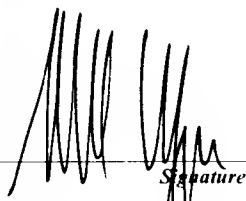
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Statement Under 37 CFR 1.97(e)(2)

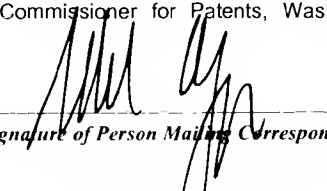
- ☐ No item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.


Signature

Dated: Sept. 23, 2002

Michael F. Krieger
Attorney for Applicant
Attorney Registration No. 35,232
KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814

I certify that this document is being deposited on
Sept. 23, 2002 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Michael F. Krieger

Typed or Printed Name of Person Mailing Correspondence

CC:

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

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Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

whichever occurs first.

Also submitted herewith is:

- ☒ a certification as specified in 37 CFR 1.97(e);

OR

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

FORM PTO-449

INFORMATION DISCLOSURE
CITATION

ATTY. DOCKET NO.

10209.353

SERIAL NO

09/997,588

APPLICANTS

Morinda, Inc.

FILING DATE

November 29, 2001

GROUP

1651

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|----------------------|--------------------|----------|------------------|-------|----------|-------------|
| A1 | 6,299,925 | 10/09/01 | Xiong et al. | 426 | 597 | 04/29/99 |
| A2 | 6,254,913 | 07/03/01 | Wadsworth et al | 426 | 481 | 08/27/99 |
| A3 | 6,214,351 | 04/10/01 | Wadsworth et al. | 424 | 195.1 | 08/27/99 |
| A4 | 5,288,491 | 02/22/94 | Moniz | 424 | 195.1 | 09/24/99 |
| A5 | | | | | | |
| A6 | | | | | | |
| A7 | | | | | | |
| A8 | | | | | | |

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FOREIGN PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
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OTHER DOCUMENTS

(Including Author (if any), Title, Pertinent Pages, Date and Place of Publication)

*EXAMINER
INITIAL

DOCUMENT CITATION

Dittmar, Alexandra. "Morinda citrifolia L.- Use in Indigenous Samoan Medicine." Pgs. 77-90. 1993. Journal of Herbs, Spices & Medicinal Plants.

Sang, Shengmin, et al. "Flavonol Glycosides and Novel Iridoid Glycoside from the Leaves of Morinda citrifolia." Pgs. 4478-4481. 2001. Journal of Agricultural and Food Chemistry.

Wang, Mingfu. "Chemical Components of sage (Salvia officinalis L.), thyme (Thymus vulgaris L.) and noni (Morinda citrifolia) and their antioxidant and anticancer activities." Pg. 13. 2000. Rutgers State University Diss. Abstra. Int., B.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).